

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PLUMBERS, PIPEFITTERS & MES LOCAL
UNION NO. 392 PENSION FUND, On Behalf of
Themselves and All Others Similarly Situated, x No. 11 CV 5097 (JFK)

Plaintiff, x
Electronically Filed

v. x
FAIRFAX FINANCIAL HOLDINGS LIMITED, x
et al., x
Defendants. x
x

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Motion to Dismiss the Class Action Complaint by PricewaterhouseCoopers LLP, Toronto, Ontario, Canada (“PwC Canada”), the Declaration of Christopher Davies in Support of PwC Canada’s Motion to Dismiss the Class Action Complaint, dated December 16, 2011, and the exhibits attached thereto, defendant PwC Canada by its undersigned attorneys will move this Court, before the Honorable John F. Keenan, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an order pursuant to (i) Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and (ii) the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b)(3)(A), dismissing plaintiff’s Class Action Complaint with prejudice and granting such other and further relief as the Court deems just and proper.

Dated: December 16, 2011
Washington, DC

Respectfully submitted,

WILMER CUTLER PICKERING HALE AND
DORR LLP

By: /s/ Christopher Davies

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CERTIFICATE OF SERVICE

I, Christopher Davies, one of the attorneys for defendant PwC Canada, hereby certify that on December 16, 2011, I electronically filed the foregoing (i) Notice of Motion, (ii) Memorandum of Law in Support of Motion to Dismiss the Class Action Complaint by PricewaterhouseCoopers LLP, Toronto, Ontario, Canada, and (iii) the Declaration of Christopher Davies in Support of PwC Canada's Motion to Dismiss the Class Action Complaint, dated December 16, 2011 with the Clerk of Court using the ECF system, pursuant to Civil Rule 5.1 of the Local Rules of the United States District Court for the Southern District of New York.

/s/ Christopher Davies

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